

**KUTAK ROCK LLP**

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*Special Counsel for Bruce Robinson, Trustee*

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

IN RE: WILLIAM ANDREW KARO,

Case No. 13-33011-KRH

Chapter 7

Debtor.

**ORDER AUTHORIZING EXAMINATION OF  
WILLIAM A. KARO AND PAGE S. KARO**

THIS MATTER comes before the Court upon the following matters: (i) *Motion to Examine Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure* (the “Motion”) filed by Bruce Robinson (the “Trustee”), Trustee for the Bankruptcy Estate of William A. Karo (the “Debtor”), to examine the Debtor and his non-filing spouse, Page S. Karo (“Ms. Karo”), and to compel the production of certain documents pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure; (ii) the *Objection to Motion to Examine Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure* filed by Ms. Karo; and (iii) the *Objection to Entry of Order for 2004* filed by the Debtor (both objections are referenced as the “Objections”). Upon consideration of the pleadings and the argument of counsel, **IT IS ORDERED, ADJUDGED AND DECREED THAT:**

1. The Motion is hereby GRANTED in its entirety; the Trustee is hereby authorized to examine the Debtor and Ms. Karo pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure.

2. The Objections are hereby OVERRULED; the Debtor and Ms. Karo shall attend and testify pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure at an examination by the Trustee regarding matters relating to the acts, conduct or property, or to the liabilities and financial condition of the Debtor or to any matter which may affect the administration of the bankruptcy estate.

3. Absent an agreement to a specific date and time, the Debtor and Ms. Karo shall attend the examination to be noticed by the Trustee provided that such notice shall be delivered via email to counsel at least 14 days from the date of the examination.

4. The examination shall be conducted at the law offices of Kutak Rock LLP, 1111 East Main Street, Suite 800, Richmond, VA 23219.

5. The Debtor shall produce all documentary evidence in its actual or constructive possession (or provide a written response to counsel explaining the effort to locate the documents, the reason for the lack of production and the location or disposition of the documents to the extent documents cannot be produced) identified in **Schedule A** attached hereto.

6. Ms. Karo shall produce all documentary evidence in its actual or constructive possession (or provide a written response to counsel explaining the effort to locate the documents, the reason for the lack of production and the location or disposition of the documents to the extent documents cannot be produced) identified in **Schedule B** attached hereto.

7. All documentary evidence shall be produced at Kutak Rock LLP, 1111 East Main Street, Suite 800, Richmond, VA 23219 within 28 days of entry of this Order.

8. The Clerk shall serve copies of this Order to counsel for the Trustee and the parties on the Certificate of Service.

ENTERED: Apr 4 2014

/s/ Kevin R. Huennekens

UNITED STATES BANKRUPTCY COURT JUDGE

Order submitted by:

Entered on Docket: Apr 7 2014

/s/ Loc Pfeiffer

**KUTAK ROCK LLP**

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*Special Counsel for Bruce Robinson, Trustee*

**CERTIFICATE OF SERVICE**

Pursuant to the Local Rules of this Court, I hereby certify under penalty of perjury that on March 31, 2014 a true and correct copy of the foregoing was served on all necessary parties via email or first-class mail, postage prepaid, as follows:

William A. Karo  
430 North Parham Road  
Henrico, VA 23229

Page S. Karo  
430 North Parham Road  
Henrico, VA 23229

Counsel for the Debtor:  
Charles A. Krumbein, Esquire  
[charlesh@krumbein.com](mailto:charlesh@krumbein.com)

Counsel for Ms. Karo:  
Robert A. Canfield Esquire  
[bcanfield@canfieldbaer.com](mailto:bcanfield@canfieldbaer.com)

/s/ Loc Pfeiffer  
Counsel

### **DEFINITIONS AND INSTRUCTIONS**

1. “You” or “your” refers to the party to whom this is directed, and his agents, representatives, attorneys and/or anyone acting on behalf of the foregoing.
2. The term “person” means any natural person, individual, proprietorship, partnership, corporation, limited liability company, association, organization, joint venture, firm, other business enterprise, governmental body, group of natural persons or other entity.
3. “Document” means any written, printed, typed, e-mailed, recorded, transcribed, photographed, electronic or graphic matter or other means of preserving thought or expression and all tangible things from which information can be processed or transcribed, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copy or otherwise, including, but not limited to, correspondence, memoranda, notes, messages, letters, telegrams, teletype, telefax, bulletins, meetings or other communications, interoffice and intra-office telephone calls, diaries, chronological data, minutes, books, reports, studies, summaries, pamphlets, printed matter, charts, ledgers, invoices, worksheets, receipts, returns, computer printouts, prospectuses, financial statements, schedules, affidavits, contracts, cancelled checks, statements, transcripts, statistics, surveys, magazine or newspaper articles, releases (and any and all drafts, alterations and modifications, changes and amendments of any of the foregoing), graphic or aural records or representations of any kind (including without limitation photographs, microfiche, microfilm, videotape, records and motion pictures) and electronic, mechanical or electric records or representations of any kind (including without limitation tapes, cassettes, discs and records).
4. The term “all documents” means every document or group of documents as above defined that are known to you or that can be located or discovered by reasonably diligent efforts.
5. The term “relating to” means pertaining to, affecting, involving or being connected to.
6. If you cannot respond to any of the following requests in full, respond to the extent possible, specifying the reasons why you are unable to respond in full, and provide whatever information you have concerning the unproduced documents or portions of documents, including the location of each document identified and the source or sources from which the documents or portions thereof may be obtained.
7. If any document that is responsive to a request is no longer complete or has been altered, state in what respect the document is incomplete or altered and explain the reasons therefor. If any such document is no longer in existence or no longer in your possession, custody, or control, state the disposition of the document, the reasons for such disposition, the date of the disposition, the identity of the person ordering, authorizing, or supervising such disposition, the person performing the disposition, the substance or the

contents of the document disposed of, and the identity of all persons having knowledge of the contents thereof.

**SCHEDULE A**  
**(to be produced by Debtor)**

1. All documents relating to the Karo Inter Vivos Residual Trust.
2. All documents relating to the lawsuits discussed in this Motion, including all correspondence and communications (e-mails included) with your attorneys or the attorneys for your son or wife.
3. All documents relating to the disclaimer you asserted as to Tony Karo's interests in the Karo Inter Vivos Residual Trust.
4. All documents relating to the disclaimer in the Karo Inter Vivos Residual Trust.
5. All and all documents you reviewed to provide the information disclosed in the bankruptcy schedules.
6. Your federal and state tax returns for gift and income taxes prepared for 2010, 2011, 2012 and 2013, including any amendments, schedules and/or revisions made thereto.
7. All bank statements for 2012 and 2013 in any account from which you had the right to withdraw, including any in your family's name.
8. All documents that contain a listing of your assets within the last four (4) years.
9. Your insurance documents showing any listing, whether itemized or not, of insured assets.
10. All documents that discuss, refer to or relate to any annuities or life insurance policies you own or of which you are the beneficiary.
11. All documents that reference any liabilities you owe to any person.
12. All documents that contain a listing of your liabilities.
13. All documents that discuss, refer to or relate to any taxes of any kind owed by you to the Internal Revenue Service, the Commonwealth of Virginia or any other taxing authorities.
14. All documents that discuss, refer to or relate to any alimony, maintenance or support payments you owe to any person.
15. All documents consisting of credit card statements received by you in 2013.
16. Operating Agreements of limited liability companies in which you are a member.
17. Leases or assignments of leases in which you were a tenant or landlord in 2012 or 2013.
18. Employment contracts, commission agreements, royalty agreements and patents under which any sum of money is or may be payable to you for 2012 and 2013.
19. Your general ledger, check register, bank deposit books or records, bank account statements and other related accounting information for every bank account in your name or in which you have an interest for 2013.
20. All documents that discuss, refer to or relate to any of your brokerage accounts, including, without limitation, any brokerage account statements for 2012 and 2013.
21. Your certificates of deposit and records of them for 2012 and 2013.
22. Deeds to real property in which you have an interest for the last four (4) years.
23. Trust indentures, trust agreements, wills and other instruments evidencing or referring to any trust in which you have an interest other than the Karo Inter Vivos Residual Trust.
24. Notes, drafts, bills of exchange, mortgages, checks and bonds in which you have an interest in 2012 and 2013.

25. Patents, trademarks, copyrights, franchises and contracts in which you have an interest in 2012 and 2013.
26. Powers of attorney, stock powers and other instruments whereby you, either alone or jointly with others, authorized any person, firm or corporation to handle any business or financial affairs for you in 2012 and 2013.
27. Papers, documents and instruments evidencing your ownership, equity or participation in any type of business enterprise for the last four (4) years.

**SCHEDULE B**  
**(to be produced by Page S. Karo)**

1. All documents relating to the Karo Inter Vivos Residual Trust.
2. All documents relating to the lawsuits discussed in this Motion, including all correspondence and communications (e-mails included) with your attorneys or the attorneys for the Debtor.
3. All documents relating to the disclaimer asserted by the Debtor as to Tony Karo's interests in the Karo Inter Vivos Residual Trust.
4. All documents relating to the disclaimer asserted by the Debtor as to his interests in the Karo Inter Vivos Residual Trust.
5. All documents discussing the termination of the Karo Inter Vivos Residual Trust.
6. All documents regarding the disposition of the assets of the Karo Inter Vivos Residual Trust.
7. Unless submitted by the Debtor, your federal and state tax returns for gift and income taxes prepared for 2010, 2011, 2012 and 2013, including any amendments, schedules and/or revisions made thereto.
8. All bank statements for 2009, 2010, 2011, 2012 and 2013 in any account from which you had the right to withdraw, including any in your family's name or the name of any trust in which any member of your family is a beneficiary.
9. All documents that contain a listing of your assets within the last four (4) years.
10. All documents concerning any trust in which you serve as a trustee of a trust in which any member of your family is a beneficiary.
11. All documents concerning any trust in which any member of your family is a beneficiary.